



## Department Description

The Ethics Commission is an independent City entity responsible for monitoring, administering, and enforcing the City's governmental ethics laws which include the City's campaign laws, lobbying laws, and ethics laws. The Ethics Commission conducts audits and investigations, provides formal and informal advice to persons who fall within its jurisdiction, conducts live training sessions, administers online training programs, and proposes governmental ethics law reforms.

The Department's mission is:

*To preserve public confidence in City government through education, advice, and the prompt and fair enforcement of local government ethics laws*

## Goals and Objectives

The following goals and objectives represent the action plan for the Department.

**Goal 1: Educate City officials, City candidates, and lobbyists about the various provisions in the City's governmental ethics laws**

The Department will move toward accomplishing this goal by focusing on the following objectives.

- Provide prompt informal advice via telephone and email
- Issue formal advisory opinions
- Prepare and disseminate educational materials such as fact sheets
- Conduct live and online training courses on the Ethics Ordinance for City Officials
- Conduct live training courses on the Election Campaign Control Ordinance for City candidates
- Conduct live training courses on the Lobbying Ordinance for lobbyists

**Goal 2: Ensure compliance with the City's governmental ethics laws through audit and enforcement activities**

The Department will move toward accomplishing this goal by focusing on the following objectives.

# Ethics Commission

- Conduct efficient and thorough investigations into alleged violations of the City's ethics laws, campaign laws, and lobbying laws
- Conduct compliance audits of City candidate and ballot measure committees

***Goal 3: Propose legislative amendments to ensure that the City's governmental ethics laws are effective in preventing corruption and the appearance of corruption***

The Department will move toward accomplishing this goal by focusing on the following objectives.

- Review existing laws, receive public input, and study laws in other jurisdictions
- Prepare proposed legislative amendments for City Council approval

## Service Efforts and Accomplishments

The Ethics Commission received a total of 106 complaints during Calendar Year 2010 and approved 58 of these matters for formal investigation. The investigations conducted by Commission staff resulted in 17 stipulated settlement agreements and two administrative enforcement orders involving fines totaling \$55,900. With respect to its audit program, the Commission completed the audits of nine candidate committees from the 2008 election cycle.

During Fiscal Year 2011, the Commission continued to make education and outreach a priority. The Commission staff conducted numerous live training sessions for City Officials, candidates, and lobbyists. In addition, the Commission staff responded to hundreds of requests for informal advice and issued several formal advice letters. Finally, the staff prepared and updated various educational materials including fact sheets and manuals for candidates and lobbyists.

The Ethics Commission staff worked extensively with the City's outside counsel defending a lawsuit brought by several plaintiffs (Phil Thalheimer, et al.) challenging the City's campaign laws. The Commission issued bulletins concerning the impacts of this litigation on the laws governing the 2010 election cycle. In addition, after the District Court directed the City to adopt appropriate limits for contributions from political parties to City candidates, the Commission studied the issue and recommended that the City Council adopt a \$1,000 contribution limit for political parties. This limit was approved by the City Council on April 27, 2010 and went into effect on June 17, 2010. The parties to the litigation appealed the lower court rulings to the Ninth Circuit Court of Appeals and are currently awaiting a decision.

# Ethics Commission

## Department Summary

		FY2011 Budget		FY2012 Proposed		FY2011–2012 Change
Positions		6.00		6.00		0.00
Personnel Expenditures	\$	842,207	\$	656,639	\$	(185,568)
Non-Personnel Expenditures		54,656		264,312		209,656
<b>Total Department Expenditures</b>	<b>\$</b>	<b>896,863</b>	<b>\$</b>	<b>920,951</b>	<b>\$</b>	<b>24,088</b>
<b>Total Department Revenue</b>	<b>\$</b>	<b>-</b>	<b>\$</b>	<b>-</b>	<b>\$</b>	<b>-</b>

## General Fund

### Department Expenditures

		FY2011 Budget		FY2012 Proposed		FY2011–2012 Change
Ethics Commission	\$	896,863	\$	920,951	\$	24,088
<b>Total</b>	<b>\$</b>	<b>896,863</b>	<b>\$</b>	<b>920,951</b>	<b>\$</b>	<b>24,088</b>

### Department Personnel

		FY2011 Budget		FY2012 Proposed		FY2011–2012 Change
Ethics Commission		6.00		6.00		0.00
<b>Total</b>		<b>6.00</b>		<b>6.00</b>		<b>0.00</b>

### Significant Budget Adjustments

	FTE	Expenditures	Revenue
<b>Adjustment to Professional Services Funding</b> Increase in non-personnel expenditures to support consulting services, administrative hearings, and attorneys with specific expertise for hearings and enforcement-related issues. Funds previously budgeted for a full-time General Counsel position will be used for this funding increase.	0.00	\$ 207,142	\$ -
<b>Equipment/Support for Information Technology</b> Funding allocated according to a zero-based annual review of information technology funding requirements and priority analyses.	0.00	14,624	-
<b>Non-Discretionary Adjustment</b> Total expenditure allocations that are determined outside of the department's direct control. These allocations are generally based on prior year expenditure trends and examples of these include utilities, insurance, and rent.	0.00	7,438	-
<b>Reduction in Supplies and Contracts</b> Additional reduction of supplies and contracts expenditures after a review of prior year spending trends.	0.00	(3,183)	-
<b>Total</b>	<b>0.00</b>	<b>\$ 226,021</b>	<b>\$ -</b>

### Expenditures by Category

		FY2011 Budget		FY2012 Proposed		FY2011–2012 Change
<b>PERSONNEL</b>						
Salaries and Wages	\$	514,568	\$	386,970	\$	(127,598)

# Ethics Commission

## Expenditures by Category (Cont'd)

		FY2011 Budget		FY2012 Proposed		FY2011-2012 Change
Fringe Benefits		327,639		269,669		(57,970)
<b>PERSONNEL SUBTOTAL</b>	<b>\$</b>	<b>842,207</b>	<b>\$</b>	<b>656,639</b>	<b>\$</b>	<b>(185,568)</b>
<b>NON-PERSONNEL</b>						
Supplies	\$	8,000	\$	5,817	\$	(2,183)
Contracts		23,826		236,985		213,159
Information Technology		16,365		14,624		(1,741)
Energy and Utilities		-		299		299
Other		5,000		5,122		122
Capital Expenditures		1,465		1,465		-
<b>NON-PERSONNEL SUBTOTAL</b>	<b>\$</b>	<b>54,656</b>	<b>\$</b>	<b>264,312</b>	<b>\$</b>	<b>209,656</b>
<b>Total</b>	<b>\$</b>	<b>896,863</b>	<b>\$</b>	<b>920,951</b>	<b>\$</b>	<b>24,088</b>

## Personnel Expenditures

Job Number	Job Class	Job Title / Wages	FY2011 Budget	FY2012 Proposed	Salary Range	Total
<b>Salaries and Wages</b>						
20000867	1842A	Accountant 2	1.00	1.00	\$54,059 - \$65,333	\$ 63,700
20001220	2268	Executive Director	1.00	1.00	46,966 - 172,744	106,941
20000924	1876	Executive Secretary	1.00	1.00	43,555 - 52,666	49,769
20001153	2197	General Counsel	1.00	1.00	17,805 - 204,214	-
20001222	2270	Program Manager	1.00	1.00	46,966 - 172,744	91,179
20000933	1885	Senior City Attorney Investigator	1.00	1.00	63,794 - 77,314	75,381
<b>Salaries and Wages Subtotal</b>			<b>6.00</b>	<b>6.00</b>		<b>\$ 386,970</b>

## Fringe Benefits

Employee Offset Savings	\$	8,080
Flexible Benefits		38,220
Long-Term Disability		3,436
Medicare		5,794
Other Post-Employment Benefits		31,600
Retirement ARC		149,714
Retirement Offset Contribution		6,641
Risk Management Administration		5,035
Supplemental Pension Savings Plan		16,316
Unemployment Insurance		838
Workers' Compensation		3,995
<b>Fringe Benefits Subtotal</b>	<b>\$</b>	<b>269,669</b>
<b>Total Personnel Expenditures</b>	<b>\$</b>	<b>656,639</b>